

## **MANSFIELD TOWNSHIP COMMITTEE MEETING**

**July 27, 2022**

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Express Times NJ Zone of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters.

Salute to the flag was done by all.

### **PUBLIC PORTION – CONSENT AGENDA ITEMS**

Mayor Watters opened the Public Portion of the meeting for comments on the Consent Agenda Items.

Seeing none, the Public Portion for Consent Agenda Items was closed.

### **CLERK'S REPORT**

Mrs. Orlando reported:

- First Reading of Stormwater Ordinance on tonight's agenda. Mrs. Orlando worked with Mr. Ferriero on it.
- Authorization of fire fighter grant on tonight's agenda; it's up to \$75K. The departments are doing the leg work; Mrs. Orlando will submit the paperwork when completed.

### **CFO REPORT**

Mrs. Mollineaux had no report at this time.

### **EMPLOYEES' REPORTS**

Mrs. Fascenelli reported:

- Trex Bench – Green Team collected another 501 lbs. of plastic that was delivered to Weis to qualify for another free bench. Mr. Hayes asked if the bench can be placed by the fallen officer's tree as requested by his family in 2020. Mrs. Fascenelli reached out to former Police Chief Reilly who will see about replacing the dead tree. He and another retired officer will see what they can do with that tree and that area.
- Food Recycling Facility – Application was submitted to SWAC, but some parts are missing. Will send back to complete. Doubtful that it will be ready for the September 1<sup>st</sup>

meeting.

- Library Ballot Question – Mrs. Fascenelli submitted a revised Newsletter to include a small blurb about the library ballot question, but it wasn't included in tonight's packet. She will email the revision to the Committee in the morning. The information will also be included on the website.

### **ENGINEER'S REPORT**

Mr. Quamme reported:

- Janes Chapel Road – Core material testing passed for air rights. Guiderail is delayed in obtaining materials. All completed but the guiderail. Have not received the first invoice from the contractors, so Mr. Quamme is waiting to pull all the numbers together. Change order on repair work information, waiting for information required by the contractor, but has not gotten back to Mr. Quamme which means it's still outstanding.
- Mt. Bethel Community Center – To be discussed in Executive Session. Waiting on architect to finalize drawings for bidding. Received septic approval from Warren County Health Department ready for pickup. Asking design engineer to confirm before bidding or as soon as possible that his design would function under library use. E&LP requested to produce a proposal for the reduced site plan.
- Mt. Bethel Road Paving – A couple of areas need fixing. Mr. Quamme reached out to a contractor today about doing the infrared correction. Contractor will call Monday to set up a time to get together out at the field to determine if additional work is necessary for just infrared.
- Airport Road – Final payment from local aide needs additional documents. Everything is in place. Mr. Quamme will send the additional things they require.
- Elizabethtown Gas – Contractor has been working on Townsbury Road for over a month; excavation problems on a culvert. Estimated time of completion is sometime in August.
- Recreation Pole Barn – Washington Township requires a zoning permit, so contractor submitted a zoning application which was approved today. Mr. Quamme is reviewing submittals to make sure township gets what they want. Shouldn't take long to build the barn.

### **LIAISONS' REPORTS**

Environmental Commission – Mr. McGuinness stated they met last week and vast majority will be going back to in-person meetings to see how that goes.

Recreation Committee – Mrs. Mora Dillon stated there was no meeting held.

Land Use Board – Mr. Hayes and Mr. Farino were asked to step out for Luna Farms; permit was denied.

Open Space, Farmland, Conservation, Historical Committee – Mr. Hayes stated they will discuss in Executive.

### **ORDINANCES**

### First Reading

Mr. Hayes made a motion to approve the first reading of Ordinance Replacing Article IX, Part 3, Land Use Legislation/Design and Performance Standards of the "Revised General Ordinances of the Township of Mansfield," as Amended, and Entitled "Storm Water Management and Flooding," which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Farino Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

### **AN ORDINANCE REPLACING ARTICLE IX, PART 3, LAND USE LEGISLATION/DESIGN AND PERFORMANCE STANDARDS OF THE "REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MANSFIELD, AS AMENDED, AND ENTITLED "STORM WATER MANAGEMENT AND FLOODING"**

**BE IT ORDAINED** by the Township Committee of the Township of Mansfield in the County of Warren, State of New Jersey, as follows:

**Section 1.** THE TOWNSHIP OF MANSFIELD LAND USE LEGISLATION of the "Revised General Ordinances of the Township of Mansfield, as amended" is hereby further amended by the replacement of **Part 3, Article IX** as follows:

A. All the provisions of this ordinance are hereby adopted in their entirety as a replacement to Part 3, Article IX of the Land Use Legislation, Revised General Ordinances of the Township of Mansfield, entitled **STORM WATER MANAGEMENT AND FLOODING**.

B. After final adoption, the attached Ordinance shall be codified to replace Part 3, Article IX of the Land Use Legislation, Revised General Ordinances of the Township of Mansfield, as amended.

**Section 2.** Part 3, Article IX of the Land Use Legislation, Revised General Ordinances of the Township of Mansfield, as amended, is hereby replaced in its entirety with the following:

#### § 361-63 **SCOPE AND PURPOSE.**

a. Policy Statement. The United States Environmental Protection Agency (EPA) mandated that all states enact regulations to address the negative impacts of stormwater runoff on the nation's streams and water resources. The State of New Jersey adopted new regulations at the direction of the EPA. Under these state regulations, all municipalities in the state must implement these stormwater regulations through local ordinance(s) by March 2021. This chapter is intended to implement these regulations. The purpose of these regulations is to control stormwater from "major development" "Major development" is defined in this ordinance. Note: "major development" for purposes of this chapter is not identical to the definitions in the Municipal Land Use Law or local zoning ordinances. Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of

stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

**b. Purpose.** The purpose of this chapter is to establish minimum stormwater management requirements and controls for major development and to reduce the amount of non-point source pollution entering surface and groundwaters. This chapter guides new development in a manner that is proactive and minimizes harmful impacts to natural resources. Specifically, this chapter shall:

- 1.** Reduce flood damage to protect public health, life and property;
- 2.** Minimize increased stormwater runoff rates and volumes;
- 3.** Minimize the deterioration of existing structures that would result from increased rates of stormwater runoff;
- 4.** Induce water recharge into the ground wherever suitable infiltration, soil permeability, and favorable geological conditions exist;
- 5.** Prevent an increase in non-point source pollution;
- 6.** Maintain the integrity and stability of stream channels and buffers for their ecological functions, as well as for drainage, the conveyance of floodwater, and other purposes;
- 7.** Control and minimize soil erosion and the transport of sediment;
- 8.** Minimize public safety hazards at any stormwater detention facility constructed pursuant to subdivision or site plan approval;
- 9.** Maintain adequate base-flow and natural flow regimes in all streams and other surface water bodies to protect the aquatic ecosystem;
- 10.** Protect all surface water resources from degradation;
- 11.** Protect groundwater resources from degradation and diminution; and
- 12.** Ensure that any additional 1/4 acre of impervious surface complies with this chapter, as required by Mansfield Township's Tier A NJPDES permit.

**c. Applicability.**

- 1.** This chapter shall be applicable to all development that meets the definition of major development as defined below.
- 2.** This chapter shall also be applicable to all major developments undertaken by Mansfield Township or any development that does not require subdivision or site plan approval.

**d. Compatibility with Other Permit and Ordinance Requirements.** Development approvals issued for subdivisions and site plans pursuant to this chapter are to be considered an integral part of development approvals under the subdivision and site plan review process and do not relieve the

applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare. This chapter shall be construed to assure consistency with the requirements of New Jersey laws and acts amendatory thereof or supplementary thereto, applicable implementing regulations, and any existing or future municipal NJPDES permits and any amendments or revisions thereto or reissuance thereof. This chapter is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this chapter imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

§ 361-64 **DEFINITIONS.**

All terms in this section shall be defined in the NJDEP Stormwater Rule (N.J.A.C. 7:8, et seq.). The following additional terms are defined for this chapter only.

MAJOR DEVELOPMENT – Shall mean any individual “development,” as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
3. The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of conditions 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development”.

§ 361-65 **GENERAL STANDARDS.**

a. Design and Performance Standards for Stormwater Management Measures.

1. Stormwater management measures for major development shall be developed to meet the:

- (a) Erosion control standards;
- (b) Groundwater recharge standards;
- (c) Stormwater runoff quantity standards; and
- (d) Stormwater runoff quality standards.

2. Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff

volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

§ 361-66 **STORMWATER MANAGEMENT DESIGN STANDARDS.**

- a. Major Developments. All major developments shall have their stormwater management designed in accordance with the Residential Site Improvement Standards (RSIS, N.J.A.C. 5:21) and the NJDEP Stormwater Rule (N.J.A.C. 7:8), subchapters 5 and 6. These standards shall apply to all projects, residential and nonresidential as well as projects by the Township, Board of Education and other agencies subject to review by the Township.
- b. Variances and Waivers. Variances or waivers from the design and performance standards for stormwater management measures.
  1. A municipality may grant a variance from the major development design and performance standards for stormwater management measures set forth in its approved municipal stormwater management plan and stormwater control ordinance(s), provided the municipal plan includes a mitigation plan in accordance with N.J.A.C. 7:8-4.2(c)11 and the following conditions are met:
    - a. The applicant demonstrates that it is technically impracticable to meet any one or more of the design and performance standards on-site. For the purposes of this analysis, technical impracticability exists only when the design and performance standard cannot be met for engineering, environmental, or safety reasons. A municipality's approval of a variance shall apply to an individual drainage area and design and performance standard and shall not apply to an entire site or project, unless an applicant provides the required analysis for each drainage area within the site and each design and performance standard;
    - b. The applicant demonstrates that the proposed design achieves the maximum possible compliance with the design and performance standards on-site; and
    - c. A mitigation project in accordance with the following is implemented.
      - i. The mitigation project may be selected from the municipal mitigation plan or may be proposed by the applicant, provided it meets the criteria in the municipal mitigation plan.
      - ii. The mitigation project shall be approved no later than preliminary or final site plan approval of the major development.
      - iii. The mitigation project shall be located in the same HUC 14 as the area of the major development subject to the variance.
      - iv. The mitigation project shall be constructed prior to, or concurrently with, the major development.
      - v. The mitigation project shall comply with the green infrastructure standards at N.J.A.C. 7:8-5.3.
      - vi. If the variance that resulted in the mitigation project being required is from the green

infrastructure standards at N.J.A.C. 7:8-5.3, then the mitigation project must use green infrastructure BMPs in Table 5-1, and/or an alternative stormwater management measure approved in accordance with N.J.A.C. 7:8-5.2(g) that meets the definition of green infrastructure to manage an equivalent or greater area of impervious surface and an equivalent or greater area of motor vehicle surface as the area of the major development subject to the variance. Grass swales and vegetative filter strips may only be used in the mitigation project if the proposed project additionally includes a green infrastructure BMP other than a grass swale or vegetative filter strip. The green infrastructure used in the mitigation project must be sized to manage the water quality design storm, as defined at N.J.A.C. 7:8-5.5(d), at a minimum, and is subject to the applicable contributory drainage area limitation specified at N.J.A.C. 7:8-5.2(g) or 5.3(b), as applicable.

vii. A variance from the groundwater recharge standards at N.J.A.C. 7:8-5.4 may be granted if one of the following is met:

- 1) The average annual groundwater recharge provided by the mitigation project must equal or exceed the average annual groundwater recharge deficit resulting from granting the variance for the major development; or
- 2) Runoff infiltrated during the two-year storm from the mitigation project must equal or exceed the deficit resulting from granting the variance from the required infiltration of the increase in runoff volume from pre-construction to post-construction from the major development.

viii. A variance from the stormwater runoff quality standards at N.J.A.C. 7:8-5.5 may be granted if the following are met:

- 1) The total drainage area of motor vehicle surface managed by the mitigation project(s) must equal or exceed the drainage area of the area of the major development subject to the variance and must provide sufficient TSS removal to equal or exceed the deficit resulting from granting the variance for the major development; and
- 2) The mitigation project must remove nutrients to the maximum extent feasible in accordance with N.J.A.C. 7:8-5.5(f).

ix. A variance from the stormwater runoff quantity standards at N.J.A.C. 7:8-5.6 may be granted if the following are met:

- 1) The applicant demonstrates, through hydrologic and hydraulic analysis, including the effects of the mitigation project, that the variance will not result in increased flooding damage below each point of discharge of the major development;
- 2) The mitigation project discharges to the same watercourse and is located upstream of the major development subject to the variance; and
- 3) The mitigation project provides peak flow rate attenuation in accordance with N.J.A.C. 7:8-5.6(b)3 for an equivalent or greater area than the area of the major

development subject to the variance. For the purposes of this demonstration, equivalent includes both size of the area and percentage of impervious surface and/or motor vehicle surface.

x. The applicant or the entity assuming maintenance responsibility for the associated major development shall be responsible for preventive and corrective maintenance (including replacement) of the mitigation project and shall be identified as such in the maintenance plan established in accordance with N.J.A.C. 7:8-5.8. This responsibility is not transferable to any entity other than a public agency, in which case, a written agreement with that public agency must be submitted to the review agency.

2. Reviewing Agency. All applications subject to the review of the Land Use Board shall be reviewed by the Board concurrently with subdivision or site plan review. Applications not subject to Planning review shall be reviewed by the Borough Engineer.
3. Appeals. The appeal of the determination of the Borough Engineer shall be made in accordance with N.J.S.A. 40:55D-70a.
4. Any approved variance shall be submitted by the municipal review agency to the county review agency and the Department, by way of a written report describing the variance, as well as the required mitigation, within 30 days of the approval.

§ 361-67 **SOURCES FOR TECHNICAL GUIDANCE.**

- a. Technical guidance for stormwater management measures can be found in the documents listed at (a)1 and 2 below, which are available at [http://www.nj.gov/dep/stormwater/bmp\\_manual2.htm](http://www.nj.gov/dep/stormwater/bmp_manual2.htm).
  1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Table 5-1, Table 5-2, and Table 5-3.
  2. Additional maintenance guidance is available on the Department's website at [http://www.nj.gov/dep/stormwater/maintenance\\_guidance.htm](http://www.nj.gov/dep/stormwater/maintenance_guidance.htm).
- b. Additional technical guidance for stormwater management measures can be obtained from the following:
  1. The "Standards for Soil Erosion and Sediment Control in New Jersey" promulgated by the State Soil Conservation Committee and incorporated into N.J.A.C. 2:90. Copies of these standards may be obtained by contacting the State Soil Conservation Committee or any of the Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey, 08625; (609) 292-5540;

§ 361-68 **MAINTENANCE AND REPAIR.**

- a. Applicability.
  1. Projects subject to review as in Section 361-63c of this chapter shall comply with the requirements of Sections 361-68b and 361-68c.

b. General Maintenance.

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development subject to review and approval of the Stormwater Coordinator. This plan shall be separate from all other documents and designed for ongoing use by the site owners or operators in performing and documenting maintenance and repair, and by the municipality in ensuring implementation of the maintenance plan. The final maintenance plan shall be updated and provided to the municipality post-construction to include an evaluation based on the specifications of the initial maintenance plan and as-built conditions.
2. The maintenance plan shall contain specific preventive maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal and disposal; safety needs; identification of methods and disposal sites for materials removed during maintenance; maintenance requirements for created wetlands and other ecological systems; safety devices and systems; warranty and operational standards from the manufacturers of any manufactured treatment devices and the name, address, and telephone number of the person or persons responsible for preventive and corrective maintenance (including replacement), using maintenance guidelines for stormwater management measures from, the Municipal Stormwater Management Plan, Municipal Stormwater Pollution Prevention Plan and any relevant regional stormwater management plan. If the maintenance plan identifies a person other than the developer (for example, a public agency or homeowners' association) as having the responsibility for continuing maintenance, the plan shall include documentation of such person's agreement to assume this responsibility, or of the developer's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
3. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project.
4. If the person responsible for maintenance identified under Section **361-68b**, 2 above is not a public agency, the maintenance plan and any future revisions based on Section **361-68b**, 7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
5. Preventative and corrective maintenance shall be performed to maintain the function of the stormwater management measure, including repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of nonvegetated linings.
6. The person responsible for maintenance identified under Section **361-68b**, 2 above shall maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders.
7. The person responsible for maintenance identified under Section **361-68b**, 2 above shall evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed

as needed. Such person shall report his findings to the Municipal Clerk annually, by February 1st of the following year.

8. The person responsible for maintenance identified under Section **361-68b, 2** above shall retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Sections **361-68b,6** and **361-68b,7** above.
  9. The requirements of Sections **361-68b,3** and **361-68b,4** do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency. In the event that any stormwater control structure is not dedicated to the Township, the developer shall post a two-year maintenance guarantee in accordance with N.J.S.A. 40:55D-53, and provide any other maintenance measures as required by the Township, to ensure proper maintenance and functioning of the system. Guidelines are available from NJDEP, see Section **361-67**.
  10. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, or if the annual report is not received by February 1st of the following year, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have 14 days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or county may immediately proceed to do so and shall bill the cost thereof to the responsible person.
- c. Nothing in this section shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee, or a sinking fund, in accordance with N.J.S.A. 40:55D-53.
  - d. The maintenance plan shall specifically provide a specific municipal right of access for inspection of measures, and for maintenance if required under Section **361-68b,10**.

**Section 2. PENALTIES.** Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this chapter shall be subject to the penalties provided for in Section **3-11** of the Township of Mansfield Revised General Ordinances.

**Section 3. EFFECTIVE DATE.** This chapter shall take effect immediately upon final passage and publication pursuant to law.

**Section 4. SEVERABILITY.** If the provisions of any section, subsection, paragraph, subdivision, or clause of this chapter shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this chapter.

**Section 5.** Following its introduction on first reading, the Clerk will refer a copy of this ordinance to the Mansfield Township Land Use Board for review, as required by the Municipal Land Use Law, N.J.S.A.

40:55D-1 *et seq.*

**First Reading**

Mrs. Mora Dillon made a motion to approve the first reading Ordinance Appropriating \$1,141,000.00 available from the General Capital Reserve Fund to Provide for Various Improvements for Various Departments Described Herein and by the Township of Mansfield, County of Warren, State of New Jersey, which was seconded by Mr. McGuinness.

Ayes: Mr. Farino Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

ORDINANCE APPROPRIATING \$1,141,000.00 AVAILABLE FROM THE GENERAL CAPITAL RESERVE FUND TO PROVIDE FOR VARIOUS IMPROVEMENTS FOR VARIOUS DEPARTMENTS

**BE IT ORDAINED by the Township of Mansfield, County of Warren, State of New Jersey as follows:**

Section 1. \$1,141,000.00 is available from the Capital Reserve Fund to provide for the following purposes:

<u>Description of Purpose</u>	<u>Amount</u>
Police Vehicle Equipment	\$ 55,000.00
Road Improvements	\$1,046,000.00
Improvements to Municipal Facilities	\$ 30,000.00
Fire Equipment	\$ 10,000.00
<b>TOTAL:</b>	<b>\$1,141,000.00</b>

Section 2. The capital budget of the Township of Mansfield is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 3. This ordinance shall take effect ten days after final publication hereof as provided by N.J.S.A. 40:49-9.

**Second Reading**

Mr. Hayes made a motion to approve Ordinance to Amend Chapter 37 Article III of the Township Code of the Township of Mansfield, which was seconded by Mr. McGuinness.

Mayor Watters opened the meeting for public comment; seeing none, public portion was closed.

Ayes: Mr. Farino Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF  
NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 37 ARTICLE III ENTITLED  
"REIMBURSEMENT FOR COSTS".

**WHEREAS**, the Township Committee of the Township of Mansfield desires to adopt an ordinance to enable the Township Fire Companies to recover the actual costs for response services provided by Fire Company personnel; and

**WHEREAS**, in 2017, the Township adopted Ordinance 2017-11, which authorized certain fees for services the Township Committee now wishes to amend Ordinance 2017-11 with the goal of amending existing fees, adopting new fees, and clarifying the process for future amendment of such fees;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey hereby amends Ordinance 2017-11 to read as follows:

**WHEREAS**, the three (3) Township Fire Companies, Tri County Volunteer Fire Company, Mansfield Fire Company, and Mount Bethel Fire and Rescue, herein referred to as "Mansfield Fire Department", provide fire suppression and emergency services in and around the Township of Mansfield; and

**WHEREAS**, the costs incurred for the maintenance of equipment used by the Fire Department grows each year; and

**WHEREAS**, it is the desire of the Township Committee to create an Ordinance to allow a recovery plan for the costs and expenses incurred to remediate hazards; and

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, as follows:

**Article III. Reimbursement for Costs.**

**§ 37-15. Definitions.**

**FIRE DEPARTMENT**

Any of the three (3) Fire Companies within Mansfield Township.

**PERSON**

A natural person or persons, partnership, corporation, association, firm or other legal entity.

**RESPONSIBLE PARTY**

The person having received emergency services provided by the Fire Department.

**§ 37-16 Purpose.**

The purpose of this article is to provide authority, procedures and requirements to seek collection and reimbursement for the reasonable costs of responding to such incidents by the Fire Department for fire service calls, hazardous material incidents, environmental incidents, and safety and rescue incidents coordinated via Warren County Dispatch and 911 responses, and those that use hazardous material abatement equipment and materials are also eligible for reimbursement.

**§ 37-17. Authorization to recover costs and expenses.**

The Township Committee of the Township of Mansfield authorizes the Fire Department to recover the real and reasonable costs incurred for firefighting materials or equipment used and expended; the costs of the use of fire trucks, fire engines, rescue equipment, tankers and other vehicles; the costs of hazardous situation abatement materials involved in any fire, safety and rescue incident or operation, and hazardous abatement incident, including vehicular accidents or fires.

**§ 37-18. Policy for billing.**

- A. The Township of Mansfield recognizes the Fire Department's need to bill for volunteer fire, rescue and hazmat services to aid in the provision of emergency services.
- B. No person requiring emergency services shall be denied services due to lack of insurance or ability to pay.
- C. Billing shall only occur if the Township's Crash Truck is on scene.
- D. Any applicable charges for volunteer emergency services rendered shall be billed directly to the user of such services or the user's insurance company.
- E. The Fire Department through any third-party billing agency with which it has contracted for billing and/or collections for volunteer fire, rescue and hazmat services, makes arrangements with users of such services and/or their financially responsible party for the installment payment of bills.
- F. The Fire Department shall provide financial reporting to the Township of Mansfield on a quarterly basis of:
  - (1) The opening balance of funds on hand.
  - (2) Amount of billings issued by the third-party biller.
  - (3) Amount of collections in satisfaction of billings issued.
  - (4) A detailed listing of any amounts disbursed, including the vendor and purpose of

disbursement.

(5) The ending balance of funds on hand.

**37-19. Procedure for billing.**

A. The Fire Department is hereby authorized to enter into a contract with a third-party billing agency and/or collection agency for the performance of emergency, rescue and hazmat services billing and/or collection services, provided that the following standards for third-party billing are met:

(1) The third-party billing service is to be provided at a rate not to exceed 20% of fees collected or at an amount consistent with the fair market value for the services rendered.

(2) Neither the billing agency nor any of its employees are subject to exclusion for any user fee.

(3) The billing agency is bonded and/or insured in amounts satisfactory to the Township of Mansfield.

(4) The Fire Department shall solicit competitive proposals for the provision of third-party billing services at least once every three years to ensure these services are provided at the lowest competitive cost. All documentation of this process shall be provided to the Township of Mansfield for review.

B. The Fire Department may, at its discretion, bill additionally for material and vehicle costs in the case of any major, extraordinary or unique incidents, including, but not limited to, hazardous material spills, fire emergency and rescue incidents that destroy or severely damage emergency services equipment.

C. User fees.

(1) Volunteer fire and rescue services shall initiate user fees for the delivery of emergency services, supplies and equipment to the scene of any hazardous material incident, environmental incident or safety and rescue incident or operation, including vehicular accidents and fires that occur and are responded to by the Fire Department.

(2) Every person and/or utility that is provided with volunteer emergency, rescue and hazmat services shall be billed a user fee in accordance with this article.

(3) The user fee for volunteer emergency services rendered shall be billed directly to the user of such services' insurance company. If the insurance company is not known, the user of services shall be billed directly, with instructions to forward the bill to his/her insurance provider.

(4) Any and all amounts collected as a result of this article shall be used exclusively for the replacement or maintenance of Fire Department emergency services materials, equipment and training.

(5) The Township Committee hereby adopts the rates set forth in the Rate and Fee Schedule attached hereto and by this reference incorporated within this Ordinance as Appendix A. Such rates and fees, other than penalties for late payments, shall not be imposed as a penalty, but shall be calculated to recover the reasonable estimate of the actual cost to the Fire Department. The Township Committee may, from time to time, amend the Rate and Fee Schedule by resolution.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

This Ordinance shall take effect upon passage and publication as provided by law.

Appendix A  
 Schedule of Fees

Tri County Fire Company Fees

Labor Per Hr	
Chief	\$60
Asst. Chief	\$60
Captain	\$55
Lieutenant	\$50
Firefighter/EMT	\$45
Firefighter/EMR	\$40
FireFighter	\$35
APPARATUS Per Hr	
Rescue 29-75	\$500
Engine 29-63	\$250
Engine 29-61	\$250
Car 29-85	\$75
Auto Aid FD/Squad	\$400
Mutual Aid FD/Squad	\$600
EQUIPMENT Per Hr	
Paratech Gold Struts	\$100
Rescue 42s Stabilization Struts	\$75
Z-Mag Stabilization Struts	\$75

HighLift Jacks	\$50
Block Cribbing	\$15
Paratech Airbags (Per Bag)	\$50
Truck Mounted Light Tower	\$150
Cascade Operation	\$200
Equipment Per Item	
ABC Extinguisher (Recharge)	\$40
Water Can (Recharge)	\$5
Absorbant Boom (Per Boom)	\$70
Absorbant Pad (Per Pad)	\$5
Blanket	\$5
Chainsaw	\$15
Drinking Water	\$5
Caution Tape (per foot)	\$9
Cleaning Supplies	\$50
Co2 Extinguisher	\$52
Firefighting Foam	\$125
K12 Saw Blade	\$23
Sawzall Blade	\$15
Road Flare (Per Unit)	\$4
Speedy Dry (Per Bag)	\$30
Traffic Cone (Per Unit)	\$23
Tyvek Suit (Per Unit)	\$38
Utility Rope	\$20
Glass Master (Per Unit)	\$25
Misc EMS Supplies	\$25
Portable Lights (Per Unit)	\$25
Contractor Bags (Per Bag)	\$5
Medical Gloves (Per Pair)	\$1
Oxygen	\$25
Aed Pads Adult	\$90
Aed Pads Infant	\$125
Portable Generator	\$50
Tarps (Per Unit)	\$25
Kevlar Fire Retardant Blankets (Per Unit)	\$50
C Collar	\$25
Tow Chains	\$35
Misc Handtools	\$15

Box of Nails for Building Stabilization	\$40
2x4 For Building Stabilization (Per Board)	\$10
4x4 For Building Stabilization (Per Board)	\$20
Lolly Column For Building Stabilization (Per Unit)	\$50
TNT Cutters	\$125
TNT Sm Cutters	\$100
TNT Pedal Cutters	\$75
TNT Spreaders	\$125
TNT Ram	\$125
TNT Truck Pump	\$125
TNT Portable Pump	\$100
Paratech Air Chisel	\$100
Milwalkee Sawzalls (per 1)	\$25
Milwalkee Cordless Powertools	\$25
Non-Resident Base Rate	\$275
Equipment per damage	
PPE Boots	\$300
PPE Extrication Gloves	\$55
PPE Fire Gloves	\$75
PPE Jacket	\$875
PPE Pants	\$1,125
Chainsaw Blade	\$35
Chainsaw Bar	\$45
Hydraulic hose	\$604
1 3/4 Fire Hose	\$150
300 ft Lifesafety Rope	\$530

### Second Reading

Mrs. Mora Dillon made a motion to approve Ordinance Petitioning the Clerk of Warren County to Place on the Ballot a Referendum to Gauge Public Sentiment for Returning the Annual School Board Election from November to April, which was seconded by Mr. Hayes.

Mayor Watters opened the meeting for public comment.

Linda Watters, 71 Cary Road, school board member, stated she's in favor of moving the election, but the board wants to know the reason for the change. Mayor Watters and Mrs. Mora Dillon stated the change gives the public a say in the budget and brings more clarity and transparency.

Mayor Watters confirmed that if it gets turned down, it stays the same. Mrs. Mora Dillon stated this is to get a feel from the public, to gauge if they want to do it or not.

Mayor Watters asked for further public comment; seeing none, public portion was closed.

Ayes: Mr. Farino Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

**ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, PETITIONING THE CLERK OF WARREN COUNTY TO PLACE ON THE BALLOT A REFERENDUM TO GAUGE PUBLIC SENTIMENT FOR RETURNING THE ANNUAL SCHOOL BOARD ELECTION FROM NOVEMBER TO APRIL**

**WHEREAS**, the Township Committee of the Township of Mansfield desires that a nonbinding referendum question be placed on the ballot in November of 2022 to determine whether Township residents wish to return the date of the annual school board election from November to April;

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee, of the Township of Mansfield, County of Warren, State of New Jersey, as follows:

Section 1: That Holly Mackey, Warren County Clerk, be requested to place a nonbinding referendum on the ballot asking whether the voters in Mansfield Township desire to return the date of the annual school board election from November to April.

Section 2: The question to be placed on the ballot shall read as follows:

“Shall the Township of Mansfield enact a resolution returning the date of the annual school board election from November to April?”

**Interpretative Statement:**

The purpose of this Referendum is to determine whether the Township should enact a resolution that will change the date of the annual school board election from November to April. Such action will foster greater public participation and allow the voters the ability to vote on the district’s general fund tax levy for the budget year, pursuant to N.J.S.A. 19:60-1.1(b).

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3. Repealer

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as

to their inconsistencies only.

Section 4. Effective Date.

This Ordinance shall take effect upon final passage and publication.

**Second Reading**

Mr. Farino made a motion to approve Ordinance Petitioning the Clerk of Warren County to Place on the Ballot a Referendum to Gauge Public Sentiment to Leave the County Library System and to Establish a Municipal Library in the Township, which was seconded by Mr. Hayes.

Mayor Watters opened the meeting for public comment.

Linda Watters, 71 Cary Road, stated she's in favor of the municipal library, but asked where the money is coming from for books, etc. Mayor Watters stated the State mandates we allocate money every year for a public library. We pay \$400K a year to the county library system. Instead of the money going to it, there will be dedicated funds of approximately \$250-300K for the township library.

Mayor Watters asked for further comments from the public; seeing none, public portion was closed.

Ayes: Mr. Farino Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

**ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, PETITIONING THE CLERK OF WARREN COUNTY TO PLACE ON THE BALLOT A REFERENDUM TO GAUGE PUBLIC SENTIMENT TO LEAVE THE COUNTY LIBRARY SYSTEM AND TO ESTABLISH A MUNICIPAL LIBRARY IN THE TOWNSHIP**

**WHEREAS**, the Township Committee of the Township of Mansfield desires that a referendum question be placed on the ballot in November of 2022 to determine whether Township residents wish to allow the establishment of a free public library in the Township;

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee, Township of Mansfield, County of Warren, State of New Jersey, as follows:

Section 1: That Holly Mackey, Warren County Clerk, be requested to place a referendum on the ballot asking whether the voters in Mansfield Township desire to leave the County library system and allow the establishment of a free public library for use by residents of the Township.

Section 2: That the question to be placed on the ballot shall read as follows:

“Shall the Township of Mansfield withdraw from the county library system pursuant to P.L. 1985, c. 541 (C. 40:33-13b) and establish a free public library pursuant to the provisions of chapter 54 of Title 40 of the Revised Statutes?”

**Interpretative Statement:**

The purpose of this Referendum is to determine whether the Township should leave the County library system and establish a free public library within the Township for use by the residents of the Township.

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3. Repealer.

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4. Effective Date.

This Ordinance shall take effect upon final passage and publication.

**CONSENT AGENDA**

Mr. Farino withdrew from consent agenda item I.

Each of the following resolutions A – H & J. were presented before the Township Committee at the July 27, 2022, meeting and have the unanimous approval of all the members of the Township Committee, with the same legal effect as though each was read in its entirety at the July 27, 2022, meeting and adopted by separate vote.

Motion by Mr. Hayes, second by Mr. McGuinness.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

Authorizing the Grant Application  
American Rescue Plan Firefighter Grant

**WHEREAS**, the three (3) volunteer Fire Companies of the Township of Mansfield wish to apply for and obtain a grant from the NJ DCA; and

**WHEREAS**, Township Committee of the Township of Mansfield recognizes that ensuring that firefighters are properly protected against the combined threats of COVID-19 virus and the

strain of the emergency fire request is vital given the current stress on the community; and **WHEREAS**, the American Rescue Plan Firefighter Grant (“Firefighter Grant”) is a competitive grant that supports local and regional fire department firefighters by ensuring that they have proper fire protection, cleaning, and sanitization equipment; **NOW THEREFORE BE IT RESOLVED**, the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey declares support for the grant application for the American Rescue Plan Firefighter Grant.

Authorizing the Award of a Non-Fair and Open Professional Service Contract  
for the Position of Legal Counsel to perform In Rem Foreclosure Procedures to  
Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi, Gill

**WHEREAS**, the Township of Mansfield has a need to appoint an Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or Section 2.13.1 of the Township Code as appropriate; and **WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et. seq) requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection; and **WHEREAS**, The Attorney shall be appointed and shall hold the position for the duration of the contract to complete the In-Rem Foreclosures per the list provided by the Township Tax Collector; and **WHEREAS**, the term of this appointment and contract for this service is no more than one year from the date authorizing the contract; and **WHEREAS**, Keith A. Bonchi of GMS Law Attorneys will provide In Rem Foreclosure procedures as per proposal dated July 14, 2022 on file in the Township Clerk’s Office; and **WHEREAS**, Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi, Gill has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of Mansfield with the elected officials in the previous one year, and that the contract will prohibit Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi, Gill from making any reportable contributions through the term of the contract; and **WHEREAS**, this contract shall not exceed \$20,000.00; and **NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey authorizes the Mayor to enter into a contract with Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi, Gill as described herein to the satisfaction of the Township Committee; and **BE IT FURTHER RESOLVED**, that the contract, resolution and other pertinent documents shall remain on file in the office of the Township Clerk; and **BE IT FURTHER RESOLVED** that a notice of this action shall be printed once in the Township’s legal newspaper.

**WHEREAS**, the Township of Mansfield is constructing a Recreation Pole Barn; and  
**WHEREAS**, there are Engineering Services needed; and  
**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these services not to exceed \$20,000.00;  
**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Mansfield that the Township Engineer, Ferriero Engineering, is authorized to perform Engineering Services for the Recreation Pole Barn.

Authorizing Tax Record Error Adjustment Block 2701 Lot 2

**Whereas**, a review of the 2022 tax duplicate from the Assessor shows Block 2701 Lot 2 with a Class 1 property code which has caused property taxes to be generated; and  
**Whereas** this parcel is owned by Mansfield Township and should be classified as tax-exempt; and  
**Whereas** this mis-classification will result in taxes being assessed for 2021 and 2022 actual taxes, and 2023 preliminary taxes for this parcel until the tax duplicate is updated; and  
**Whereas** the incorrectly assessed taxes should be cancelled;  
**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Mansfield this 27th day of July 2022 that the Tax Collector be directed to correct and adjust any associated tax records in order to proper reflect this cancellation as well as its effect on future billings.

Authorizing Purchase of Calcium Through MCCAP COOP #3

**WHEREAS**, the Township of Mansfield is in need of Calcium; and  
**WHEREAS**, Resolution 22-163 erroneously awarded the contract to Atlantic Salt; and  
**WHEREAS**, the Assistant Director of Public Works recommends awarding a contract for the Calcium through MCCPC CO-OP Contract #3, to Reed Systems, Ltd. in the amount not to exceed \$5,000; and  
**WHEREAS**, N.J.S.A. 52:34-6.2 et. seq. authorizes the Township to make purchases and contract for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process.  
**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that resolution 22-163 is rescinded and that the appropriate municipal officials be and are hereby authorized to enter into a contract for Calcium with Reed Systems, LTD. in the amount not to exceed \$5,000 through MCCPC CO-OP Contract #3.

Authorizing Grant Application and Executing a Grant Contract  
With NJ DOT for the Snyder Road Improvements Project Section 2

:

NOW, THEREFORE, BE IT RESOLVED that Committee of Mansfield Township formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as application ID #00239 from NJDOT SAGE to the New Jersey Department of Transportation on behalf of the Township of Mansfield.

Authorizing Raffle Licenses for Warren Hills FFA Alumni Affiliate

**WHEREAS**, Warren Hills FFA Alumni Affiliate has submitted Raffle License Applications for drawings to be held on October 15, 2022; and

**WHEREAS**, all paperwork and payments are in order, and the identification number from the Legalized Games of Chance Control Commission is currently valid, and will be valid at the date and time of the raffles;

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that Raffle License RA2022-08 and Raffle License RA2022-09 are approved, and the Acting Township Clerk is authorized to sign off on the licenses and submit copies to the appropriate authorities.

Authorizing MOU with Warren County – RAVE

**WHEREAS**, the Township of Mansfield recognizes the importance of an emergency mass notification system; and

**WHEREAS**, the Warren County Office of Emergency Management has partnered with RAVE Mobile Safety and is offering a Memorandum of Understanding (MOU) to provide the framework and structure for cooperation, collaboration, and support between RAVE and the Township of Mansfield in order to improve and increase the speed, capability, and effectiveness of RAVE broadcasts in emergencies and non-emergency situations;

**NOW THEREFORE IT BE RESOLVED**, by the Township of Mansfield, County of Warren, State of New Jersey that the Mayor is authorized to sign the MOU with the County of Warren on behalf of the Township of Mansfield.

Mrs. Mora Dillon made a motion to accept consent agenda item I Authorizing Payment of Municipal Obligations, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: Mr. Farino

Authorizing Payment of Municipal Obligations

:

**WHEREAS**, the Township Committee of the Township of Mansfield, County of Warren, finds and declares that certain municipal obligations have come due and are now payable; and  
**WHEREAS**, the Township Committee further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby deemed part of this Resolution;  
**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Mansfield does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Deputy Treasurer, from the following accounts and in the following amounts:

PREPAID LIST	
CURRENT	\$108,145.83
CAPITAL	
TRUST	\$
DOG	\$
RECREATION	
OPEN SPACE	\$
DEV ESCROW	
UNEMPLOYMENT	\$54.94
TAX PREMIUM	
MANDATORY DEV	
OUTSIDE EMPLOY	
<b>TOTAL</b>	<b>\$108,200.77</b>

BILLS LIST	
CURRENT	\$843,048.60
CAPITAL	\$11,343.56
TRUST	\$
DOG	\$
RECREATION	\$
OPEN SPACE	\$1,157.10
DEV ESCROW	\$360.00
UNEMPLOYMENT	\$
TAX PREMIUM	\$
MANDATORY DEV	\$880.00
OUTSIDE EMPLOY	\$
GREEN TEAM	\$
<b>TOTAL</b>	<b>\$856,789.26</b>

**PUBLIC PORTION**

Mayor Watters opened the Public Portion of the meeting for comments; seeing none, the public portion was closed.

**EXECUTIVE SESSION**

Mayor Watters announced moving into Executive Session at 7:52 pm

Mr. Hayes made a motion to go into Executive Session, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Farino Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. Lavery stated the Executive Session discussion will include:

- Two (2) personnel matters dealing with DPW
- Two (2) contractual matters
- Mt. Bethel
- Contractual matter dealing with fire department and EMS
- Attorney/client privilege of potential litigation

### **RETURN FROM EXECUTIVE SESSION**

Return from Executive Session at 9:05 pm.

Roll Call: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Mr. Lavery announced the return from Executive Session where they discussed:

- Two (2) personnel matters dealing with DPW
- Contractual matter dealing with Mt. Bethel Church
- Contractual matter dealing with EMS
- Attorney/client privilege dealing with street trees

No official action was taken. Copies of these minutes will be available at such time the Committee determines there is no longer a harm to the public interest.

Mr. Lavery requested a motion to send a letter to Independence regarding the paving of Townsbury Road.

Mr. Hayes made a motion to send a letter to Independence regarding the paving of Townsbury Road, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Farino Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. Lavery requested a motion to authorize the Clerk to send a letter to the squad for the terms discussed in Executive Session.

Mr. Hayes made a motion to authorize the Clerk to send a letter to the squad for the terms discussed in Executive Session, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Farino Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. Lavery requested a motion to authorize the Clerk to notify Construction that the Committee agrees to release the CO's discussed in Executive Session.

Mr. Hayes made a motion to authorize the Clerk to notify Construction that the Committee agrees to release the CO's discussed in Executive Session, which was seconded by Mr. McGuinness.

Ayes: Mr. Farino Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. Hayes made a motion to adjourn, carried unanimously.

Respectfully submitted,  
Illena Raffaele  
Deputy Clerk/Registrar